

EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

EUGENIE BOUCHARD)	Docket No. 1:15-cv-5920-AMD-MDG
)	
Plaintiff,)	Judge Ann M. Donnelly
v.)	
)	Magistrate Judge Lois Bloom
UNITED STATES TENNIS ASSOCIATION, INC. and USTA NATIONAL TENNIS CENTER, INC.)	
)	AFFIDAVIT OF MICHAEL
Defendants.)	RODRIGUEZ IN SUPPORT OF
)	DEFENDANTS' OPPOSITION
)	
)	

I, **Michael Rodriguez**, being duly sworn, and aware of the penalties of perjury, state as follows:

1. I have been with the USTA National Tennis Center Incorporated ("USTA NTC") as Director of Security since 2003, after my retirement from the New York City Police Department. By virtue of this work, I am familiar with the system of security cameras set up within the USTA Billie Jean King National Tennis Center ("Center") and its grounds. The Center is the facility where US Open Tennis Championships (the "US Open") are held.

2. The Center is a 42-acre facility comprised of several buildings and many outdoor facilities, including tennis courts, food and retail concessions.

3. During the US Open, a robust and elaborate security plan is in place at the Center to ensure that access control to public and private areas is enforced. Certain areas of the Center are not covered by the USTA system of security cameras, inasmuch as the players' privacy is taken into account. For example, there are no security cameras in use inside the first floor men's and women's locker rooms; nor are there security cameras in use in the players lounge or players dining room located on the second floor.

4. The women's and men's locker rooms are located off an area referred to as the "Players Hallway." Within the Players Hallway, there are security cameras trained at the entrances to the men's and women's locker rooms.

5. Approximately 66 feet northeast from the women's locker room and off the Player Hallway is the first floor player area and Purser's office. The first floor player area contains the player anti-doping room, practice court scheduling desk, and an area for racquet stringing, among other amenities. Connected to the player area is a vestibule that contains the player transportation desk, which leads to an outdoor garden exclusively used by players and their guests. A security camera is located in the vestibule, but is trained at the garden exit door. Therefore, activities occurring within the 1st floor player area would not be captured from this camera.

6. There is a stairwell in this 1st floor player area that leads to the 2nd floor. The players lounge and players dining room are located on the 2nd floor. There are no security cameras in the stairwell; nor are there any cameras in the hallway leading to the players lounge, in the players lounge itself, or in player dining room.

7. The Fitness Center is located on the third floor. There are no cameras in the stairwell area leading from the second floor to the third floor; nor are there cameras in the area approaching the players' Fitness Center. There are two cameras inside the players' Fitness Center, but it came to my attention that they were not functioning during the 2016 US Open and have since been replaced, so I can not state with certainty that they were operational during the 2015 US Open.

8. At the southwest end of the Player Hallway are the Media Center and interview rooms. To reach the interview rooms from the women's locker room, one must pass the USTA

NTC and United States Tennis Association ("USTA") administrative offices. There is a security camera focused on the door of USTA NTC administrative office. Because of the angle, this camera does not capture pedestrian activity in the Player Hallway.

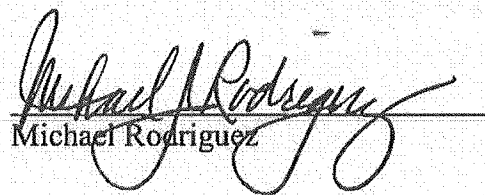
9. There is a security camera that faces the USTA administration office entrance as well. This camera captures pedestrian activity in the Player Hallway; however, the area of the Player Hallway captured by this camera is largely visible from, and duplicative of, the security camera video footage from the camera located just outside the women's locker room, which I understand was already produced to the plaintiff in this case.

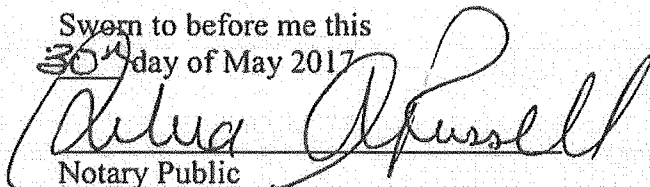
10. There are no security cameras located outside the interview rooms; nor are there security cameras inside the interview rooms themselves.

11. It is my understanding that the above description of the Center's security cameras and their placement equally applies to the system in place during the 2015 US Open.

12. In 2015, all security camera video was maintained and preserved by the USTA NTC for a specified duration pursuant to established policy and procedure.

Dated: May 30, 2017


Michael Rodriguez

Sworn to before me this
30th day of May 2017

Notary Public

DEBRA A. RUSSELL
Notary Public, State of New York
No. 01RU4686072
Qualified in Suffolk County
Commission Expires March 30, 2019